

SOLID WASTE DISPOSAL ACT8-33. Selection and Performance of Federal Corrective Actions at Leaking Underground Storage Tanks

1. **AUTHORITY.** Pursuant to Subtitle I of the Solid Waste Disposal Act, as amended, to determine the necessity of, and to select federal corrective actions at, leaking underground storage tanks containing petroleum and/or oxygenated fuel additives, to enter property, and to perform such corrective actions using Leaking Underground Storage Tank (LUST) Trust Fund funds.
2. **TO WHOM DELEGATED.**
 - a. Director, Land, Chemical and Redevelopment Division.
 - b. Director, Superfund and Emergency Management Division.
3. **LIMITATIONS.**
 - a. Before a delegatee exercises this authority for any obligations up to \$250,000 or for any amendment that does not bring the total obligation above \$250,000, the delegatee must receive the concurrence of the office director of the Office of Underground Storage Tanks or designee.
 - b. Before a delegatee exercises this authority for any obligations above \$250,000 or for any amendment that brings the total obligation above \$250,000, the delegatee must receive the concurrence of the assistant administrator for the Office of Land and Emergency Management, or designee.
 - c. For emergency situations with obligations not exceeding \$50,000, a delegatee may exercise this authority and must comply with federal lead UST corrective action guidance issued by the AA for OLEM, or designee.
 - d. The director or designee for SEMD, must consult with the director or designee for LCARD, prior to exercising this authority.
4. **REDELEGATION AUTHORITY.**
 - a. Within LCARD, this authority may be redelegated to the branch chief level, or equivalent, and no further.
 - b. Within SEMD, this authority may be delegated to the on-scene coordinator level, and no further.
 - c. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

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5. **ADDITIONAL REFERENCES.**

- a. Superfund Removal directives.
- b. Office of Land and Emergency Management Directive 9610.9A and subsequent amendments.



Gregory Sopkin
Regional Administrator



Date